

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GRIFFIN TECHNOLOGY HOLDINGS
INCORPORATED, et al.,

Plaintiffs,

v.

IWICS, INC.,

Defendant.

CASE NO. C13-1465RAJ

MINUTE ORDER

The clerk issues the following minute order by the authority of the Honorable Richard A. Jones, United States District Court Judge.

The court has reviewed the parties' statements (Dkt. ## 85, 86) in response to the court's May 29, 2015 order (Dkt. # 84).

The parties agree that they have resolved any dispute as to evidentiary restrictions on evidence of Defendants' communications with their South African law firm, Spoor & Fisher. The court therefore will impose no evidentiary restriction of its own, including the restriction it imposed in the May 29 order.

As to bringing this action to a conclusion, the parties propose only limbo. Defendants believe it will take a year or more to complete the deposition of Lawrence Hung, a witness associated with Plaintiffs who resides in Taiwan, who will apparently only provide testimony after Defendants cause him to be served with a letter rogatory.

1 Defendants suggest that the court either bar his testimony, allowing the case to proceed to
2 trial, or that the court simply wait for the letter rogatory process to conclude. Plaintiffs
3 are non-committal. They apparently will not or cannot convince Mr. Hung to testify
4 voluntarily, and they will not consent to move on in their case without him.

5 This is Plaintiffs' case, and Plaintiffs are apparently happy to wait up to a year to
6 move on with it. Because it is Defendants who wish to depose Mr. Hung, the court
7 cannot attribute the delay solely to Plaintiffs' disinterest in prosecuting their own case. In
8 short, it appears that all parties are satisfied with allowing the indefinite delay of the
9 resolution of this case. The court, however, is not satisfied with that arrangement.

10 On July 22 at noon, the court will terminate this case, solely for administrative
11 purposes. The court will not allow the case to languish on its active docket to
12 accommodate the parties' standoff of indefinite duration. At such time as the parties are
13 prepared to proceed with this action (either because they have completed Mr. Hung's
14 deposition, or because they have made arrangements to proceed without his deposition),
15 the parties may file a joint motion to reopen the case. That motion shall include a
16 proposal for a trial date and for the filing of dispositive motions, if necessary.

17 Alternatively, the parties may file a joint statement, no later than noon on July 22,
18 that offers detailed proposals for bringing this action to a resolution. If they do so, the
19 court will consider their proposals, although it may nonetheless terminate the case as
20 described above.

21 Dated this 7th day of July, 2015.

22 WILLIAM M. MCCOOL
23 Clerk

24 s/ Rhonda Stiles
25 Deputy Clerk